

UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION

UNITED STATES OF AMERICA)
)
)
v.) No. 3:05-00147
)
MARSHAWN LYTLE)
)

Judge Haynes

ON DSM
This motion
is GRANTED
LJF
2-21-13

MOTION TO CONTINUE CHANGE OF PLEA HEARING

Marshawn Lytle, by and through counsel, hereby moves this Honorable Court to continue his change of plea hearing. In support of this motion, undersigned counsel would show the Court the following:

1. This matter is set for a change of plea hearing on February 22, 2013 at 4:00, having been continued from its previous setting on February 11, 2013 so that the parties could address certain issues which had to be resolved before the matter could proceed with the change of plea.
2. Undersigned counsel met with Mr. Lytle on February 19, 2013. In that meeting, Mr. Lytle requested that the plea hearing be continued if counsel was unable to clarify, before the hearing, certain potential consequences of a change of plea. It has become apparent that undersigned counsel will be unable to fully address Mr. Lytle's concerns by February 22, 2013.
3. For reasons set forth more fully in the Supplemental Motion to Continue filed under seal and *ex parte*, Mr. Lytle requests a continuance of the plea hearing. Undersigned counsel has discussed the need for an short continuance with AUSA Phil Wehby. Mr. Wehby has indicated that he has no objection to a continuance, and the parties jointly request that the matter be reset on March 4, 2013, at 4:00 p.m.